

EXHIBIT A

EXHIBIT A

SPECIFIC AMENDMENTS AND WITHDRAWAL OF ADMISSIONS

REQUEST FOR ADMISSION NO. 17: Admit that your goods or services are identical to at least some of Tata Sons' goods and services.

ORIGINAL RESPONSE: Admit that at least one of TATA Telecom's services is identical to at least one of Tata Sons' services. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 18: Admit that your goods and services are the same type of goods and services as some of Tata Sons' goods and services.

ORIGINAL RESPONSE: Admit that at least one of TATA Telecom's services is the same type of services as at least one of Tata Sons' services. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 19: Admit that your goods and services are related to Tata Sons' goods and services.

ORIGINAL RESPONSE: Admit that at least one of TATA Telecom's services is related to at least one of Tata Sons' services. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 20: Admit that the word "telecom" describes your goods or services.

ORIGINAL RESPONSE: Admit.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 21: Admit that Tata Sons provides telecommunication goods.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 22: Admit that you provide telecommunication goods.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 23: Admit that Tata Sons provides telecommunication services.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 24: Admit that you provide telecommunication services.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 25: Admit that Tata Sons' goods include telecommunications-related goods.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 26: Admit that your goods include telecommunications-related goods.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 27: Admit that Tata Sons' services include telecommunications-related services.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 28: Admit that your services include telecommunications-related services.

ORIGINAL RESPONSE: Admit

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 29: Admit that your goods and services are sold or provided to unsophisticated customers.

ORIGINAL RESPONSE: Admit as to at least one of TATA Telecom's goods and services. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 39: Admit that the acronym of Toronto Asia Tele Access – "TATA" – is identical in sight to the TATA mark.

ORIGINAL RESPONSE: Admit that the acronym of TATA Asia Tele Access is "TATA." Admit that "TATA" is identical in sight to the "TATA" formative of certain of Tata Sons' trademarks. Otherwise, deny.

AMENDED RESPONSE: Admit that "TATA" is identical in sight to "TATA." Otherwise Deny.

REQUEST FOR ADMISSION NO. 40: Admit that the acronym of Toronto Asia Tele Access – "TATA" – is identical in sound to the TATA mark.

ORIGINAL RESPONSE: Admit that the acronym of TATA Asia Tele Access is “TATA.” Admit that “TATA” is identical in sound to the “TATA” formative of certain of Tata Sons’ trademarks. Otherwise, deny.

AMENDED RESPONSE: Admit that the acronym of “Toronto Asia Tele Access” is “TATA.” Otherwise, deny.

REQUEST FOR ADMISSION NO. 42: Admit that the acronym of Toronto Asia Tele Access – “TATA” – looks like the mark Tata Sons.

ORIGINAL RESPONSE: Admit that the acronym of TATA Asia Tele Access is “TATA.” Admit that “TATA” looks like the “TATA” formative of TATA SONS. Otherwise, deny.

AMENDED RESPONSE: Admit that the acronym for “Toronto Asia Tele Access” is “TATA.” Otherwise, deny.

REQUEST FOR ADMISSION NO. 43: Admit that the acronym of Toronto Asia Tele Access – “TATA” – sounds like the mark Tata Sons.

ORIGINAL RESPONSE: Admit that the acronym of TATA Asia Tele Access is “TATA.” Admit that “TATA” sounds like the “TATA” formative of TATA SONS. Otherwise, deny.

AMENDED RESPONSE: Admit that the acronym of Toronto Asia Tele Access is “TATA.” Otherwise, deny.

REQUEST FOR ADMISSION NO. 45: Admit that the acronym of Toronto Asia Tele Access – “TATA” – looks like the mark Tata Communications.

ORIGINAL RESPONSE: Admit that the acronym of TATA Asia Tele Access is “TATA.” Admit that “TATA” looks like the “TATA” formative of TATA COMMUNICATIONS. Otherwise, deny.

AMENDED RESPONSE: Admit that the acronym of “Toronto Asia Tele Access” is “TATA.” Otherwise, deny.

REQUEST FOR ADMISSION NO. 46: Admit that the acronym of Toronto Asia Tele Access – “TATA” – sounds like the mark Tata Communications.

ORIGINAL RESPONSE: Admit that the acronym of TATA Asia Tele Access is “TATA.” Admit that “TATA” sounds like “TATA” formative of TATA COMMUNICATIONS. Otherwise, deny.

AMENDED RESPONSE: Admit that the acronym of Toronto Asia Tele Access is “TATA.” Otherwise, deny.

REQUEST FOR ADMISSION NO. 48: Admit that TATA Telecom looks like the TATA mark.

ORIGINAL RESPONSE: Admit the “TATA” formative of TATA Telecom looks like the “TATA” formative of certain of Tata Sons’ trademarks. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 49: Admit that TATA Telecom sounds like the TATA mark.

ORIGINAL RESPONSE: Admit the “TATA” formative of TATA Telecom sounds like the “TATA” formative of certain of Tata Sons’ trademarks. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 51: Admit that TATA Telecom looks like the mark Tata Sons.

ORIGINAL RESPONSE: Admit the “TATA” formative of TATA Telecom looks like the “TATA” formative of TATA SONS. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 52: Admit that TATA Telecom sounds like the mark Tata Sons.

ORIGINAL RESPONSE: Admit the “TATA” formative of TATA Telecom sounds like the “TATA” formative of TATA SONS. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 54: Admit that TATA Telecom looks like the mark Tata Communications.

ORIGINAL RESPONSE: Admit the “TATA” formative of TATA Telecom looks like the “TATA” formative of TATA COMMUNICATIONS. Otherwise, deny.

AMENDED RESPONSE: Deny.

REQUEST FOR ADMISSION NO. 55: Admit that TATA Telecom sounds like the mark Tata Communications.

ORIGINAL RESPONSE: Admit the “TATA” formative of TATA Telecom sounds like the “TATA” formative of TATA COMMUNICATIONS. Otherwise, deny.

AMENDED RESPONSE: Deny.

EXHIBIT B

THE HONORABLE RICARDO S. MARTINEZ

331
Out

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TORONTO ASIA TELE ACCESS
TELECOM INC., now known as TATA
TELECOM INC., a company organized
under the laws of Canada, and
MANMOHAN SINGH THAMBER,
a natural person residing in Canada,

Plaintiffs,

v.

TATA SONS LIMITED, a company
organized under the laws of India,

Defendant. ✓

No. CV 09-01356 RSM

**TATA SONS LIMITED'S FIRST
INTERROGATORIES TO PLAINTIFF**

JURY TRIAL DEMANDED

TO: Plaintiff and Counter-Defendant Toronto Asia Tele Access Telecom Inc., now known as TATA Telecom Inc. ("TATA Telecom Inc.")

AND TO: Counsel of Record for TATA Telecom.

Pursuant to FED R. CIV. P. 26 and 33 and the Local Rules of the Western District of Washington, Tata Sons Limited ("Tata Sons") requests that TATA Telecom Inc. answer separately and fully in writing, under oath, the following interrogatories within thirty (30) days of the date of service:

RECEIVED

MAR 31 2010

TATA SONS LIMITED'S FIRST
INTERROGATORIES TO PLAINTIFF - 1
Case No. CV 09-01356 RSM

GRAHAM & DUNN

FENWICK & WEST LLP
1191 SECOND AVENUE, 10TH FLOOR
SEATTLE, WASHINGTON 98101
telephone (206) 389-4510
facsimile (206) 389-4511

DEFINITIONS

1
2 1. The terms "plaintiff", "you" or "your" shall refer to TATA Telecom Inc. and
3 shall include any past and present divisions, parents, subsidiaries, associated organizations,
4 affiliates, joint ventures, predecessor or successor companies, if any, and its past and present
5 officers, directors, employees, trustees, authorized agents, sales representatives, distributors,
6 consultants, dealers, or other representatives, including counsel and patent agents, in any
7 country, and any persons or entities from which they have the right or ability to obtain all or
8 part of the discovery requested, including but not limited to Plaintiff and Counter-Defendant
9 Manmohan Singh Thamber ("Mr. Singh") and Toronto Asia Tele Access Telecom Inc.

10 2. The terms "Tata Sons" or "Defendant" shall refer to Tata Sons and its
11 employees or representatives.

12 3. The term "mark" means any word, name, symbol, design, shape, number,
13 slogan, or device, or any combination thereof, that is used by a person to identify and
14 distinguish the person's goods or services from the goods or services of others.

15 4. The term "TATA" means Tata Sons' mark as used by Tata Sons or for which
16 Tata Sons has publicly announced the intention to use in connection with Tata Sons' goods
17 and services, including as set forth in U.S. Trademark Registration Nos. 2,929,070; 789,432;
18 2,814,916; and 2,824,913 and as set forth in U.S. Trademark Application Nos. 77/037369;
19 77/024615; 77/368944; 77/389690; 77/702983; 77/389677; and 77/117361.

20 5. The terms "Tata Sons' goods and services" or "Tata Sons' goods or
21 services" shall refer to any and all goods and services that Tata Sons has advertised,
22 marketed, offered for sale, distributed, rendered, or otherwise caused to be provided or that
23 Tata Sons has publicly announced the intention to advertise, market, offer for sale, distribute,
24 render, or otherwise cause to be provided under or in connection with TATA.

25 6. The term "TATA-Telecom.com" shall refer to the domain name obtained by
26 you through the registrar eNom, Inc. ("eNom").
27

1 7. The term "TATA Telecom" means the name and mark as used by you or for
2 which you intend to use in connection with your goods or services and any variation thereof
3 or any related names and marks.

4 8. The term "Toronto Asia Tele Access Telecom" means the name and mark as
5 used by you or for which you intend to use in connection with your goods or services and any
6 variation thereof or any related names and marks.

7 9. The terms "your goods and services" or "your goods or services" shall refer
8 to any and all goods and services that you have advertised, marketed, offered for sale,
9 distributed, rendered, or otherwise caused to be provided or that you intend to advertise,
10 market, offer for sale, distribute, render, or otherwise cause to be provided under or in
11 connection with TATA-Telecom.com, TATA Telecom and/or Toronto Asia Tele Access
12 Telecom.

13 10. The term "channels of trade" refers to (a) each type of person buying,
14 leasing, or otherwise receiving each of your goods or services directly from you, each type of
15 person marketing each of your goods or services to other persons, and each type of person to
16 whom or which such persons market each of your goods or services, and/or (b) the means
17 and methods by which you promote and offer your goods or services.

18 11. The term "document" shall have the broadest meaning accorded to it by
19 FED. R. CIV. P. 34(a) and includes, but is not limited to, all of the items defined in Fed. R.
20 Evid. 1001, and all preliminary and final drafts of any such item.

21 12. The term "all documents" means any and all documents that you can locate
22 through a diligent search of all locations likely to contain documents requested herein and
23 through reasonable inquiry of all persons likely to know of the existence of documents
24 requested herein.

25 13. The term "communication" shall refer to all written, oral, telephonic or other
26 inquiries, dialogues, discussions, conversations, interviews, correspondence, consultations,
27 negotiations, agreements, understandings, meetings, letters, notes, telegrams, advertisements,

1 press releases, computer mail, e-mail and all other documents evidencing any verbal or
2 nonverbal interaction between persons and/or entities.

3 14. The terms "relate to," "relates to," "related to," "relating to," "refer to,"
4 "referring to," "reflecting" and "regarding" mean constitute, include, comprise, consist of,
5 refer, reflect, discuss, show, state, explain, contradict, provide context to, evidence, concern,
6 demonstrate, or be in any way logically or factually connected with the matter discussed or
7 identified.

8 15. The term "person(s)" shall include natural persons, corporate or other
9 business entities, and all other forms of legal entities, whether or not in the employ of any
10 party. The acts and knowledge of a person are defined to include the acts and knowledge of
11 that person's directors, officers, owners, members, employees, representatives, agents, and/or
12 attorneys.

13 16. "Identify," "identification," "describe," or "description" means that:

14 (A) Where you are asked to identify or describe a natural person, you
15 shall state his or her full name, his or her present or last known home and business addresses
16 and telephone numbers, and his or her present or last known employer;

17 (B) Where you are asked to identify or describe a corporation, company,
18 business, joint venture, partnership, or other business entity, you are to state its name, its
19 relationship to you, its last known address, the nature of its business, the name of its last
20 known chief executive officer, and whether or not it is still transacting business;

21 (C) Where you are asked to identify or describe an oral communication,
22 you shall state the date of the communication, the type of communication (telephone
23 conversation, meeting, etc.), whether any written documents were created during or as a
24 result of the communication, the place where the communication took place, the identity of
25 the person who made the communication, the identity of each person who received the
26 communication, the identity of each person present when it was made, and the subject matter
27 discussed;

(D) Where you are asked to identify or describe a document or written communication, you shall specifically designate the type of document (e.g., letter, inter-office memorandum, report, drawing, technical report, proposal, etc.) and shall state information sufficient to enable Tata Sons to identify the document, such as its date, names of addressees, names of authors or signatories, title or heading, number of pages, the identities and addresses of any persons to whom copies were sent, and the present or last known possessor of the original of the document (or, if you are aware that the communication has been lost or destroyed, you shall so state and shall provide the names of the persons who lost or destroyed the document and the reasons for and circumstances of such loss or destruction);

(E) Where you are asked to identify or describe a trademark or trademark application or registration, or a service mark or service mark application or registration, you shall state its country or state, application number and registration number, its date of first use in that country or state and the goods or services on or in connection with which it was first used and subsequently has been used, the identity of all past and present trademark or service mark owners, the identity of any United States counterpart application or registration and the date of first use in the United States and the goods on which or the services in connection with which it was first used and subsequently has been used in the United States;

(F) Where you are asked to identify or describe a service, you shall state the nature of the service and the goods in connection with which it is to be provided, to whom and where it is to be provided, by whom it is to be provided, and the service mark or other designation used by the party concerned to distinguish it from others.

17. The words "or" and "and" shall be construed in the conjunctive and in the disjunctive when they appear, and neither of these words shall be interpreted to limit the scope of these interrogatories.

18. The terms "any" or "each" shall be construed to include and encompass "all."

1 19. The use of a verb in any tense shall be construed as the use of the verb in all
2 other tenses.

3 20. The singular form of any word shall be construed to include the plural. The
4 plural form of any word shall be construed to include the singular.

5 **INSTRUCTIONS**

6 The following instructions shall apply to each of the requests herein:

7 1. In answering the following interrogatories, you shall furnish all information
8 which is available to you, after reasonable inquiry, including information in the custody,
9 control, or possession of your agents, employees, officers, directors, attorneys, investigators,
10 consultants, experts, and all other persons acting on your behalf, and not merely such
11 information known of your personal knowledge.

12 2. In answering the following interrogatories, you shall furnish all information
13 regarding your actual or intended use of TATA-Telecom.com, Toronto Asia Tele Access
14 Telecom, and/or TATA Telecom responsive to each interrogatory. Selection of documents
15 from files and other sources and numbering of such documents shall be performed in such a
16 manner as to ensure that the source and order of each document may be determined, if
17 necessary.

18 3. If any of the following Interrogatories cannot be answered fully and
19 completely after you have made reasonable inquiries of your agents, employees, officers,
20 directors, attorneys, investigators, consultants, experts, and others acting on your behalf,
21 answer such Interrogatories to the fullest extent possible, specifying the reasons for your
22 inability to answer the remainder of such Interrogatories, and stating whatever information or
23 knowledge you possess concerning the unanswered portions thereof. Also, where you cannot
24 answer the Interrogatory fully, please provide your best estimate, explain that it is an
25 estimate, and describe the basis upon which the estimate is made.

26 4. Where a claim of privilege is asserted in responding or objecting to any of
27 these Interrogatories and information is not provided on the basis of such assertion:

1 (A) the party or attorney asserting the privilege shall in the response or
2 objection to the discovery request identify the nature of the privilege (including work
3 product) which is being claimed and if the privilege is being asserted in connection with a
4 claim or defense governed by state law, indicate the state's privilege rule being invoked;

5 (B) the following information shall be provided in the response or
6 objection, unless divulgence of such information would cause disclosure of privileged
7 information: (i) date of the document or, if no date is indicated, an estimate of that date; (ii)
8 type of document; (iii) subject matter as described on the document or, if no such description
9 appears, then some other description sufficient to identify the document; (iv) the name and
10 address of each person who prepared it; (v) the name and address of each person to whom it
11 was sent; (vi) the name and address of each person for whom it was prepared; (vii) the name
12 and address of each person receiving or reviewing it, if any; (viii) the name and address of
13 each person now in possession thereof; and (ix) the particular request to which such
14 document is responsive.

15 (C) For oral communications, identify: (i) the name of the person making
16 the communication and the names of persons present while the communication was made
17 and, where not apparent, the relationship of the persons present to the person making the
18 communications; (ii) the date and place of communication; and (iii) the general subject
19 matter of the communication.

20 5. These Interrogatories are continuing in character so as to require you to
21 supplement your responses in accordance with FED. R. CIV. P. 26(e) if you obtain or become
22 aware of any further information responsive to these interrogatories.
23
24
25
26
27
28

INTERROGATORIES

INTERROGATORY NO. 1:

Identify each place of business owned or controlled in whole or in part by you, including describing for each such place of business the location, the nature of the business conducted at the location, and the number of persons employed at the location.

INTERROGATORY NO. 2:

Identify and describe in detail your goods and services offered under the TATA Telecom mark, including without limitation each good and service which you offered through TATA-Telecom.com.

INTERROGATORY NO. 3:

Identify and describe in detail your authority or ability to provide your goods and services, including without limitation any telecommunications-related good or service in the U.S., including any authority or ability provided by the U.S. government or its regulatory agencies.

INTERROGATORY NO. 4:

Describe in detail how TATA-Telecom.com, Toronto Asia Tele Access Telecom and/or TATA Telecom are or will be used in connection with, or in promotion of, your goods and services.

INTERROGATORY NO. 5:

State the location and time period, including the date of first use, that TATA-Telecom.com has been used in connection with each of your goods and services anywhere in the United States.

INTERROGATORY NO. 6:

State the location and time period, including the date of first use, that Toronto Asia Tele Access Telecom has been used in connection with each of your goods and services anywhere in the United States.

1 **INTERROGATORY NO. 7:**

2 State the location and time period, including the date of first use, that TATA Telecom
3 has been used in connection with each of your goods and services anywhere in the United
4 States.

5 **INTERROGATORY NO. 8:**

6 Identify and describe in detail, including the time period, any changes in your goods
7 and services that have occurred at any time since the inception of your first provision of those
8 goods and services.

9 **INTERROGATORY NO. 9:**

10 Identify and describe in detail all current or prospective segments of customers of
11 your goods and services.

12 **INTERROGATORY NO. 10:**

13 Identify and describe in detail the channels of trade you have used or plan to use for
14 your goods and services.

15 **INTERROGATORY NO. 11:**

16 Identify and describe in detail all goods and services that compete or would compete
17 with your goods and services, including all providers of such goods and services.

18 **INTERROGATORY NO. 12:**

19 Separately for each year, detail the revenues earned from and expenses related to, the
20 offering, sale, or distribution of your goods or services, including any advertising, promotion,
21 and marketing expenses.

22 **INTERROGATORY NO. 13:**

23 Describe in detail the facts regarding your selection and adoption of Toronto Asia
24 Tele Access Telecom, including without limitation the reason it was selected to identify your
25 goods and services (e.g., the impression you sought to convey to consumers with Toronto
26 Asia Tele Access Telecom), the meaning of Toronto Asia Tele Access Telecom and the
27 person(s) involved in the selection and adoption of Toronto Asia Tele Access Telecom.

1 **INTERROGATORY NO. 14:**

2 Describe in detail the facts regarding your decision to change your name from
3 Toronto Asia Tele Access Telecom to TATA Telecom, including without limitation the
4 reason TATA Telecom was selected to identify your goods and services (e.g., the impression
5 you sought to convey to consumers with TATA Telecom), the meaning of TATA Telecom
6 and the person(s) involved in the decision to change your name from Toronto Asia Tele
7 Access Telecom to TATA Telecom.

8 **INTERROGATORY NO. 15:**

9 Describe in detail when and under what circumstances you first learned of Tata Sons,
10 Tata Sons' use or intended use of TATA, and/or Tata Sons' goods and services.

11 **INTERROGATORY NO. 16:**

12 Describe in detail each instance of actual or potential confusion, mistake, or deception
13 of any person(s) as to the source, origin, or sponsorship of TATA Telecom, including
14 without limitation any actual or potential confusion, mistake, or deception as to your
15 affiliation, connection, or association with Tata Sons, TATA, and/or Tata Sons' goods and
16 services.

17 **INTERROGATORY NO. 17:**

18 Describe in detail any opinions, legal or otherwise, regarding the availability of
19 TATA Telecom for your use, and identify all documents, including without limitation
20 trademark search reports, related to the availability of or right to use TATA Telecom.

21 **INTERROGATORY NO. 18:**

22 If your response to any of the Requests for Admissions contained in Tata Sons' First
23 Requests for Admission is anything other than an unqualified admission, for each such
24 response, state all facts on which you base your denial or the qualification of your admission
25 to the request.

1 **INTERROGATORY NO. 19:**

2 Identify each person who supplied documents, assisted, provided information, or was
3 consulted by you regarding your answers to any of these Interrogatories, and, separately for
4 each such person, specify the interrogatory number(s) for which assistance, information, or
5 consultation was provided.

6
7 DATED this 31st day of March, 2010.

8 **FENWICK & WEST LLP**

9
10 By: 

11 Kit W. Roth, WSBA No. 33059
12 Kathryn J. Fritz (*admitted pro hac vice*)
Eric J. Ball (*admitted pro hac vice*)

13 1191 Second Avenue
14 10th Floor
15 Seattle, WA 98101
16 Phone: 206-389-4522
Fax: 206-389-4511
Email: [kroth@fenwick.com](mailto: kroth@fenwick.com)

17 Attorneys for Defendant Tata Sons Limited
18
19
20
21
22
23
24
25
26
27

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2010, I caused the following document

- **TATA SONS LIMITED'S FIRST INTERROGATORIES TO PLAINTIFF**
- to be served on counsel as follows:

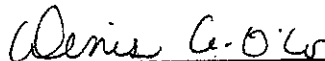
Michael G. Atkins
GRAHAM & DUNN, PC
2801 Alaskan Way, Ste. 300
Seattle, WA 98121-1128
Tele: 206-624-8300
Fax: 206-340-9599
Email: matkins@grahamdunn.com

Attorneys for TATA Telecom Inc.

- | | |
|-------------------------------------|---------------------------------|
| <input type="checkbox"/> | United States Mail, First Class |
| <input checked="" type="checkbox"/> | By Messenger |
| <input type="checkbox"/> | By Facsimile |
| <input type="checkbox"/> | By Overnight Courier |
| <input type="checkbox"/> | By Email |

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 31st day of March, 2010.


DENISE A. O'CONNOR

23467/00408/LIT/1319109.5

EXHIBIT C

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TORONTO ASIA TELE ACCESS
TELECOM INC., now known as TATA
TELECOM INC., a company organized
under the laws of Canada, and
MANMOHAN SINGH THAMBER,
a natural person residing in Canada,

Plaintiffs,

v.

TATA SONS LIMITED, a company
organized under the laws of India,

Defendant.

No. CV 09-01356 RSM

**TATA SONS LIMITED'S FIRST
REQUESTS FOR ADMISSION TO
PLAINTIFF AND RESPONSES
THERE TO**

JURY TRIAL DEMANDED

TO: Plaintiff and Counter-Defendant Toronto Asia Tele Access Telecom Inc., now known as TATA Telecom Inc. ("TATA Telecom Inc.")

AND TO: Counsel of Record for TATA Telecom.

Pursuant to FED R. CIV. P. 26 and 36 and the Local Rules of the Western District of Washington, Tata Sons Limited ("Tata Sons") requests that TATA Telecom Inc. answer separately and fully in writing, under oath, the following requests within thirty (30) days of the date of service:

TATA SONS LIMITED'S FIRST REQUESTS
FOR ADMISSIONS PLAINTIFF AND
RESPONSES THERETO - 1
Case No. CV 09-01356 RSM

FENWICK & WEST LLP
1191 SECOND AVENUE, 10TH FLOOR
SEATTLE, WASHINGTON 98101
telephone (206) 389-4510
facsimile (206) 389-4511

DEFINITIONS

1. The terms "plaintiff", "you", or "your" shall refer to TATA Telecom, Inc. and shall include any past and present divisions, parents, subsidiaries, associated organizations, affiliates, joint ventures, predecessor or successor companies, if any, and its past and present officers, directors, employees, trustees, authorized agents, sales representatives, distributors, consultants, dealers, or other representatives, including counsel and patent agents, in any country, and any persons or entities from which they have the right or ability to obtain all or part of the discovery requested, including but not limited to Plaintiff and Counter-Defendant Manmohan Singh Thamber ("Mr. Singh") and Toronto Asia Tele Access Telecom, Inc.

2. The terms "Tata Sons" or "Defendant" shall refer to Tata Sons and its employees or representatives.

3. The term "mark" means any word, name, symbol, design, shape, number, slogan, or device, or any combination thereof, that is used by a person to identify and distinguish the person's goods or services from the goods or services of others.

4. The term "TATA" means Tata Sons' mark as used by Tata Sons or for which Tata Sons has publicly announced the intention to use in connection with Tata Sons' goods or services, including as set forth in U.S. Trademark Registration Nos. 2,929,070; 789,432; 2,814,916; and 2,824,913 and as set forth in U.S. Trademark Application Nos. 77/037369; 77/024615; 77/368944; 77/389690; 77/702983; 77/389677; and 77/117361.

5. The terms "Tata Sons' goods and services" or "Tata Sons' goods or services" shall refer to any and all goods and services that Tata Sons has advertised, marketed, offered for sale, distributed, rendered, or otherwise caused to be provided or that Tata Sons has publicly announced the intention to advertise, market, offer for sale, distribute, render, or otherwise cause to be provided under or in connection with TATA.

6. The term "TATA-Telecom.com" shall refer to the domain name obtained by you through the registrar eNom, Inc. ("eNom").

1 7. The term "TATA Telecom" means the name and mark as used by you or for
2 which you intend to use in connection with your goods or services and any variation thereof
3 or any related names and marks.

4 8. The term "Toronto Asia Tele Access Telecom" means the name and mark as
5 used by you or for which you intend to use in connection with your goods or services and any
6 variation thereof or any related names and marks.

7 9. The terms "your goods and services" or "your goods or services" shall refer
8 to any and all goods and services that you have advertised, marketed, offered for sale,
9 distributed, rendered, or otherwise caused to be provided or that you intend to advertise,
10 market, offer for sale, distribute, render, or otherwise cause to be provided under or in
11 connection with TATA-Telecom.com, TATA Telecom and/or Toronto Asia Tele Access
12 Telecom.

13 10. The term "channels of trade" refers to (a) each type of person buying,
14 leasing, or otherwise receiving each of your goods or services directly from you, each type of
15 person marketing each of your goods or services to other persons, and each type of person to
16 whom or which such persons market each of your goods or services, and/or (b) the means
17 and methods by which you promote and offer your goods or services.

18 11. The terms "relate to," "relates to," "related to," "relating to," "refer to,"
19 "referring to," "reflecting" and "regarding" mean constitute, include, comprise, consist of,
20 refer, reflect, discuss, show, state, explain, contradict, provide context to, evidence, concern,
21 demonstrate, or be in any way logically or factually connected with the matter discussed or
22 identified.

23 12. The term "person(s)" shall include natural persons, corporate or other
24 business entities, and all other forms of legal entities, whether or not in the employ of any
25 party. The acts and knowledge of a person are defined to include the acts and knowledge of
26 that person's directors, officers, owners, members, employees, representatives, agents, and/or
27 attorneys.

13. The words "or" and "and" shall be construed in the conjunctive and in the disjunctive when they appear, and neither of these words shall be interpreted to limit the scope of these requests.

14. The terms “any” or “each” shall be construed to include and encompass “all.”

15. The use of a verb in any tense shall be construed as the use of the verb in all other tenses.

16. The singular form of any word shall be construed to include the plural. The plural form of any word shall be construed to include the singular.

INSTRUCTIONS

1. Pursuant to the requirements of FED. R. CIV. P. 36(a), you are requested to:

(A) respond not only to statements or opinions of fact, but also to the application of law to fact;

(B) give lack of information or knowledge as a reason for failure to admit or deny a request only if you have made reasonable inquiry as to the request; and

(C) comply with the requirement that if good faith requires you to qualify an answer or deny only a part of the matter of which an admission is requested, you specify so much of the request as is true and qualify or deny the remainder.

2. Where a claim of privilege is asserted in responding or objecting to any of these Requests and information is not provided on the basis of such assertion, the party or attorney asserting the privilege shall in the response or objection to the discovery request identify the nature of the privilege (including work product) which is being claimed and if the privilege is being asserted in connection with a claim or defense governed by state law, indicate the state's privilege rule being invoked; and

3. These requests are continuing in character so as to require you to supplement your responses in accordance with FED. R. CIV. P. 26(e) if you obtain or become aware of any further information responsive to these requests, except that the requester does not agree to the withdrawal of admissions.

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1:

Admit that Tata Sons' rights in TATA predate any rights you claim in TATA-Telecom.com.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 2:

Admit that Tata Sons' rights in TATA predate any rights you claim in TATA Telecom.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 3:

Admit that Tata Sons' rights in TATA predate any rights you claim in Toronto Asia Tele Access Telecom.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 4:

Admit that Tata Sons used the TATA mark before you began using TATA-Telecom.com.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 5:

Admit that Tata Sons used the TATA mark before you began using TATA Telecom.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 6:

Admit that Tata Sons used the TATA mark before you began using Toronto Asia Tele Access Telecom.

1 **RESPONSE:** Deny

2 **REQUEST FOR ADMISSION NO. 7:**

3 Admit that you were aware of Tata Sons before you adopted TATA-Telecom.com.

4 **RESPONSE:** Deny

5 **REQUEST FOR ADMISSION NO. 8:**

6 Admit that you were aware of Tata Sons before you adopted TATA Telecom.

7 **RESPONSE:** Deny

8 **REQUEST FOR ADMISSION NO. 9:**

9 Admit that you were aware of Tata Sons before you adopted Toronto Asia Tele Access
10 Telecom.

11 **RESPONSE:** Deny

12 **REQUEST FOR ADMISSION NO. 10:**

13 Admit that you were aware of the TATA mark before you adopted TATA-
14 Telecom.com.

15 **RESPONSE:** Deny

16 **REQUEST FOR ADMISSION NO. 11:**

17 Admit that you were aware of the TATA mark before you adopted TATA Telecom.

18 **RESPONSE:** Deny

19 **REQUEST FOR ADMISSION NO. 12:**

20 Admit that you were aware of the TATA mark before you adopted Toronto Asia Tele
21 Access Telecom.

22 **RESPONSE:** Deny

23 **REQUEST FOR ADMISSION NO. 13:**

24 Admit that you were aware of Tata Sons before you changed your name from Toronto
25 Asia Tele Access Telecom to TATA Telecom.

26 **RESPONSE:** Deny

1 **REQUEST FOR ADMISSION NO. 14:**

2 Admit that you were aware of the TATA mark before you changed your name from
3 Toronto Asia Tele Access Telecom to TATA Telecom.

4 **RESPONSE:** Deny

5 **REQUEST FOR ADMISSION NO. 15:**

6 Admit that you were aware of Tata Sons before your creation, selection, registry and
7 adoption of the domain name TATA-Telecom.com.

8 **RESPONSE:** Deny

9 **REQUEST FOR ADMISSION NO. 16:**

10 Admit that you were aware of the TATA mark before your creation, selection, registry
11 and adoption of the domain name TATA-Telecom.com.

12 **RESPONSE:** Deny

13 **REQUEST FOR ADMISSION NO. 17:**

14 Admit that your goods or services are identical to at least some of Tata Sons' goods and
15 services.

16 **RESPONSE:** Admit that at least one of TATA Telecom's services is identical to at
17 least one of Tata Sons' services. Otherwise, deny.

18 **REQUEST FOR ADMISSION NO. 18:**

19 Admit that your goods and services are the same type of goods and services as some of
20 Tata Sons' goods and services.

21 **RESPONSE:** Admit that at least one of TATA Telecom's services is the same type of
22 services as at least one of Tata Sons' services. Otherwise, deny.

23 **REQUEST FOR ADMISSION NO. 19:**

24 Admit that your goods and services are related to Tata Sons' goods and services.

25 **RESPONSE:** Admit that at least one of TATA Telecom's services is related to at least
26 one of Tata Sons' services. Otherwise, deny.

1 **REQUEST FOR ADMISSION NO. 20:**

2 Admit that the word "telecom" describes your goods or services.

3 **RESPONSE:** Admit

4 **REQUEST FOR ADMISSION NO. 21:**

5 Admit that Tata Sons provides telecommunication goods.

6 **RESPONSE:** Admit

7 **REQUEST FOR ADMISSION NO. 22:**

8 Admit that you provide telecommunication goods.

9 **RESPONSE:** Admit

10 **REQUEST FOR ADMISSION NO. 23:**

11 Admit that Tata Sons provides telecommunication services.

12 **RESPONSE:** Admit

13 **REQUEST FOR ADMISSION NO. 24:**

14 Admit that you provide telecommunication services.

15 **RESPONSE:** Admit

16 **REQUEST FOR ADMISSION NO. 25:**

17 Admit that Tata Sons' goods include telecommunications-related goods.

18 **RESPONSE:** Admit

19 **REQUEST FOR ADMISSION NO. 26:**

20 Admit that your goods include telecommunications-related goods.

21 **RESPONSE:** Admit

22 **REQUEST FOR ADMISSION NO. 27:**

23 Admit that Tata Sons' services include telecommunications-related services.

24 **RESPONSE:** Admit

25 **REQUEST FOR ADMISSION NO. 28:**

26 Admit that your services include telecommunications-related services.

27 **RESPONSE:** Admit

1 **REQUEST FOR ADMISSION NO. 29:**

2 Admit that your goods and services are sold or provided to unsophisticated customers.

3 **RESPONSE:** Admit as to at least one of TATA Telecom's goods and services.
4 Otherwise, deny.

5 **REQUEST FOR ADMISSION NO. 30:**

6 Admit that Tata Sons' goods and services are sold or provided to unsophisticated
7 customers.

8 **RESPONSE:** TATA Telecom has made a reasonable inquiry and the information it
9 knows or can readily obtain is insufficient to enable it to admit or deny.

10 **REQUEST FOR ADMISSION NO. 31:**

11 Admit that your goods and services are sold or provided to the same customers as Tata
12 Sons' goods and services.

13 **RESPONSE:** TATA Telecom has made a reasonable inquiry and the information it
14 knows or can readily obtain is insufficient to enable it to admit or deny.

15 **REQUEST FOR ADMISSION NO. 32:**

16 Admit that your goods and services are marketed to the same customers as Tata Sons'
17 goods and services are marketed.

18 **RESPONSE:** TATA Telecom has made a reasonable inquiry and the information it
19 knows or can readily obtain is insufficient to enable it to admit or deny.

20 **REQUEST FOR ADMISSION NO. 33:**

21 Admit that your goods and services are sold or provided in the same channels of trade as
22 Tata Sons' goods and services are sold or provided.

23 **RESPONSE:** Admit at least one of TATA Telecom's goods and services is sold or
24 provided in the same channels of trade as at least one of TATA Sons' goods and services is
25 sold or provided. Otherwise, deny.

26 **REQUEST FOR ADMISSION NO. 34:**

27 Admit that your goods and services are provided over the Internet.

1 **RESPONSE:** Admit

2 **REQUEST FOR ADMISSION NO. 35:**

3 Admit that Tata Sons' goods and services are provided over the Internet.

4 **RESPONSE:** Admit that at least one of Tata Sons' goods and services is provided over
5 the Internet. TATA Telecom has made a reasonable inquiry and the information it knows or
6 can readily obtain is insufficient to enable it to admit or deny the remaining portion of this
7 request.

8 **REQUEST FOR ADMISSION NO. 36:**

9 Admit that you advertise your goods and services via the Internet.

10 **RESPONSE:** Admit

11 **REQUEST FOR ADMISSION NO. 37:**

12 Admit that Tata Sons' goods and services are advertised via the Internet.

13 **RESPONSE:** Admit

14 **REQUEST FOR ADMISSION NO. 38:**

15 Admit that TATA is well known for identifying Tata Sons' goods and services.

16 **RESPONSE:** TATA Telecom objects to this request as being vague and ambiguous as
17 to the undefined phrase "well known," and therefore is unable to respond to this request.

18 **REQUEST FOR ADMISSION NO. 39:**

19 Admit that the acronym of Toronto Asia Tele Access – "TATA" – is identical in sight to
20 the TATA mark.

21 **RESPONSE:** Admit that the acronym of TATA Asia Tele Access is "TATA." Admit
22 that "TATA" is identical in sight to the "TATA" formative of certain of Tata Sons'
23 trademarks. Otherwise, deny.

24 **REQUEST FOR ADMISSION NO. 40:**

25 Admit that the acronym of Toronto Asia Tele Access – "TATA" – is identical in sound
26 to the TATA mark.

1 **RESPONSE:** Admit that the acronym of TATA Asia Tele Access is "TATA." Admit
2 that "TATA" is identical in sound to the "TATA" formative of certain of Tata Sons'
3 trademarks. Otherwise, deny.

4 **REQUEST FOR ADMISSION NO. 41:**

5 Admit that the acronym of Toronto Asia Tele Access – "TATA" – offers the same
6 commercial impression as the TATA mark.

7 **RESPONSE:** Deny.

8 **REQUEST FOR ADMISSION NO. 42:**

9 Admit that the acronym of Toronto Asia Tele Access – "TATA" – looks like the mark
10 Tata Sons.

11 **RESPONSE:** Admit that the acronym of TATA Asia Tele Access is "TATA." Admit
12 that "TATA" looks like the "TATA" formative of TATA SONS. Otherwise, deny.

13 **REQUEST FOR ADMISSION NO. 43:**

14 Admit that the acronym of Toronto Asia Tele Access – "TATA" – sounds like the mark
15 Tata Sons.

16 **RESPONSE:** Admit that the acronym of TATA Asia Tele Access is "TATA." Admit
17 that "TATA" sounds like the "TATA" formative of TATA SONS. Otherwise, deny.

18 **REQUEST FOR ADMISSION NO. 44:**

19 Admit that the acronym of Toronto Asia Tele Access – "TATA" – offers the same
20 commercial impression as the mark Tata Sons.

21 **RESPONSE:** Deny

22 **REQUEST FOR ADMISSION NO. 45:**

23 Admit that the acronym of Toronto Asia Tele Access – "TATA" – looks like the mark
24 Tata Communications.

25 **RESPONSE:** Admit that the acronym of TATA Asia Tele Access is "TATA." Admit
26 that "TATA" looks like the "TATA" formative of TATA COMMUNICATIONS.
27 Otherwise, deny.

1 **REQUEST FOR ADMISSION NO. 46:**

2 Admit that the acronym of Toronto Asia Tele Access – “TATA” – sounds like the mark
3 Tata Communications.

4 **RESPONSE:** Admit that the acronym of TATA Asia Tele Access is “TATA.” Admit
5 that “TATA” sounds like “TATA” formative of TATA COMMUNICATIONS. Otherwise,
6 deny.

7 **REQUEST FOR ADMISSION NO. 47:**

8 Admit that the acronym of Toronto Asia Tele Access – “TATA” – offers the same
9 commercial impression as the mark Tata Communications.

10 **RESPONSE:** Deny.

11 **REQUEST FOR ADMISSION NO. 48:**

12 Admit that TATA Telecom looks like the TATA mark.

13 **RESPONSE:** Admit the “TATA” formative of TATA Telecom looks like the “TATA”
14 formative of certain of Tata Sons’ trademarks. Otherwise, deny.

15 **REQUEST FOR ADMISSION NO. 49:**

16 Admit that TATA Telecom sounds like the TATA mark

17 **RESPONSE:** Admit the “TATA” formative of TATA Telecom sounds like the
18 “TATA” formative of certain of Tata Sons’ trademarks. Otherwise, deny.

19 **REQUEST FOR ADMISSION NO. 50:**

20 Admit that TATA Telecom offers the same commercial impression as the TATA mark.

21 **RESPONSE:** Deny

22 **REQUEST FOR ADMISSION NO. 51:**

23 Admit that TATA Telecom looks like the mark Tata Sons.

24 **RESPONSE:** Admit the “TATA” formative of TATA Telecom looks like the “TATA”
25 formative of TATA SONS. Otherwise, deny.

26 **REQUEST FOR ADMISSION NO. 52:**

27 Admit that TATA Telecom sounds like the mark Tata Sons.

1 **RESPONSE:** Admit the "TATA" formative of TATA Telecom sounds like the
2 "TATA" formative of TATA SONS. Otherwise, deny.

3 **REQUEST FOR ADMISSION NO. 53:**

4 Admit that TATA Telecom offers the same commercial impression as the mark Tata
5 Sons.

6 **RESPONSE:** Deny.

7 **REQUEST FOR ADMISSION NO. 54:**

8 Admit that TATA Telecom looks like the mark Tata Communications.

9 **RESPONSE:** Admit the "TATA" formative of TATA Telecom looks like the "TATA"
10 formative of TATA COMMUNICATIONS. Otherwise, deny.

11 **REQUEST FOR ADMISSION NO. 55:**

12 Admit that TATA Telecom sounds like the mark Tata Communications.

13 **RESPONSE:** Admit the "TATA" formative of TATA Telecom sounds like the
14 "TATA" formative of TATA COMMUNICATIONS. Otherwise, deny.

15 **REQUEST FOR ADMISSION NO. 56:**

16 Admit that TATA Telecom offers the same commercial impression as the mark Tata
17 Communications.

18 **RESPONSE:** Deny.

19 **REQUEST FOR ADMISSION NO. 57:**

20 Admit that you use the color blue to advertise your goods or services.

21 **RESPONSE:** Admit

22 **REQUEST FOR ADMISSION NO. 58:**

23 Admit that the color blue is the predominant color used on TATA-Telecom.com.

24 **RESPONSE:** Admit

25 **REQUEST FOR ADMISSION NO. 59:**

26 Admit that your use of TATA Telecom emphasizes the "tata" portion of the mark.

27 **RESPONSE:** Admit

REQUEST FOR ADMISSION NO. 60:

Admit that "tata" is the dominant portion of the TATA Telecom.

RESPONSE: Admit

REQUEST FOR ADMISSION NO. 61:

Admit that TATA Telecom is a "tata" formative mark.

RESPONSE: Admit the "TATA Telecom" contains the formative "TATA."

Otherwise, deny.

REQUEST FOR ADMISSION NO. 62:

Admit that the acronym of Toronto Asia Tele Access – "TATA" – creates a likelihood of confusion, mistake, or deception as to source, origin, or sponsorship with Tata Sons' goods and services.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 63:

Admit that the acronym of Toronto Asia Tele Access – "TATA" – creates a likelihood of confusion, mistake, or deception as to your affiliation, connection, or association with Tata Sons.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 64:

Admit that the acronym of Toronto Asia Tele Access – "TATA" – is likely to impair the distinctiveness of TATA.

RESPONSE: Deny

REQUEST FOR ADMISSION NO. 65:

Admit that TATA Telecom creates a likelihood of confusion, mistake, or deception as to source, origin, or sponsorship with Tata Sons' goods and services.

RESPONSE: Deny

1 **REQUEST FOR ADMISSION NO. 66:**

2 Admit that TATA Telecom creates a likelihood of confusion, mistake, or deception as to
3 your affiliation, connection, or association with Tata Sons.

4 **RESPONSE:** Deny

5 **REQUEST FOR ADMISSION NO. 67:**

6 Admit that TATA Telecom is likely to impair the distinctiveness of TATA.

7 **RESPONSE:** Deny

8 **REQUEST FOR ADMISSION NO. 68:**

9 Admit that you contacted Epsilon Telecommunications Ltd.

10 **RESPONSE:** Admit

11 **REQUEST FOR ADMISSION NO. 69:**

12 Admit that you contacted EVITARUS.

13 **RESPONSE:** Deny

14 **REQUEST FOR ADMISSION NO. 70:**

15 Admit that you contacted Convergia Networks.

16 **RESPONSE:** Deny

17 **REQUEST FOR ADMISSION NO. 71:**

18 Admit that Epsilon Telecommunications Ltd. expressed to you confusion as to your
19 affiliation, connection, or association with Tata Sons, or expressed to you the misimpression
20 that you are Tata Sons or are affiliated, connected, or associated with Tata Sons.

21 **RESPONSE:** Deny

22 **REQUEST FOR ADMISSION NO. 72:**

23 Admit that EVITARUS expressed to you confusion as to your affiliation, connection, or
24 association with Tata Sons, or expressed to you the misimpression that you are Tata Sons or
25 are affiliated, connected, or associated with Tata Sons.

26 **RESPONSE:** Deny

1 **REQUEST FOR ADMISSION NO. 73:**

2 Admit that Convergia Networks expressed to you confusion as to your affiliation,
3 connection, or association with Tata Sons, or expressed to you the misimpression that you are
4 Tata Sons or are affiliated, connected, or associated with Tata Sons.

5 **RESPONSE:** Deny

6
7 DATED this 28th day of April, 2010.

8
9 **GRAHAM & DUNN PC**

10
11 By: 

12 Michael G. Atkins,
13 WSBA No. 26026
14 Email: matkins@grahamdunn.com
15 Attorneys for Plaintiffs
16
17
18
19
20
21
22
23
24
25
26
27

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2010, I caused the following document

- **TATA SONS LIMITED'S FIRST REQUESTS FOR ADMISSION TO PLAINTIFF AND RESPONSES THERETO**

to be served on counsel as follows:

Kit Roth Eric Ball Fenwick & West LLP 1191 Second Avenue, 10 th Floor Seattle, WA 98101 Tele: 206-389-4510 Fax: 206-389-4511 Email: kroth@fenwick.com Email: EBall@fenwick.com Attorneys for Tata Sons Limited	<input checked="" type="checkbox"/> United States Mail, First Class <input type="checkbox"/> By Messenger <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Overnight Courier <input checked="" type="checkbox"/> By Email
---	--

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED this 28th day of April, 2010.



Michael G. Atkins

EXHIBIT D

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

TORONTO ASIA TELE ACCESS TELECOM INC., now known as TATA TELECOM INC., a company organized under the laws of Canada, and MANMOHAN SINGH THAMBER, a natural person residing in Canada,)	Civil Action No. C09-1356RSM
)	PLAINTIFF'S MOTION FOR LEAVE TO AMEND AND WITHDRAW ADMISSIONS
Plaintiffs,)	Note on Motion Calendar: January 21, 2011
vs.)	
TATA SONS LTD., a company organized under the laws of India,)	
Defendant.)	

VERIFICATION OF RESPONSE

I, Shasheill Kumar, declare that:

1. I am the Chief Financial Officer ("CFO") of Toronto Asia Tele Access Telecom, Inc., now known as TATA Telecom, Inc. ("TATA Telecom").
2. I have read the foregoing "Plaintiff's Motion for Leave to Amend and Withdraw Admissions" and while I do not have personal knowledge of all of the facts recited, the information contained therein has been collected by me or made

PLAINTIFF'S MOTION FOR LEAVE TO AMEND
AND WITHDRAW ADMISSIONS -- 1

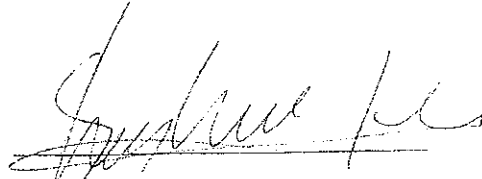
HELEIN & MARASHLIAN, LLC
1420 Spring Hill Road, Suite 205
McLean, Virginia 22102
telephone (703) 714-1300
facsimile (703) 714-1330

No. C09 1356 RSM

1 available to me by others, and said allegations and statements made are true to the
2 best of my knowledge and belief based upon the information made available to
3 me, and therefore the foregoing Motion is certified on behalf of TATA Telecom.
4

5 3. I declare under penalty of perjury that the foregoing is true and correct.

6 EXECUTED this 31st day of December, 2010

7 
8 Shasheill Kumar, CFO
9

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
PLAINTIFF'S MOTION FOR LEAVE TO AMEND
AND WITHDRAW ADMISSIONS -- 2

HELEIN & MARASHLIAN, LLC
1420 Spring Hill Road, Suite 205
McLean, Virginia 22102
telephone (703) 714-1300
facsimile (703) 714-1330